

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA

v.

JOEL ENRIQUEZ BUENO,
a/k/a "Jose Luis Alarcon",
a/k/a "Shariff Adan Ayoub",
a/k/a "Edwin Adan Echecarria",
a/k/a "Enriquez Bueno"

Defendant.

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) Criminal No. 1:19 *MJ 20*
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AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT
AND ARREST WARRANT

I, Mark Tlumacki, being duly sworn, state the following:

1. I am a deportation officer with the United States Immigration and Customs Enforcement ("ICE") in Fairfax, Virginia. I have been employed with ICE for over five years. During that time I have received specialized training and have conducted numerous investigations relating to administrative and criminal violations of the Immigration and Nationality Act and Title 8 of the United States Code. My duties as a deportation officer with ICE include investigating administrative and criminal violations of the Immigration and Nationality Act and Title 8 of the United States Code and seeking, when applicable, prosecution and removal of violators.

2. This affidavit is submitted in support of a criminal complaint and arrest warrant for JOEL ENRIQUEZ BUENO an alien who was found in the United States after being denied

admission, excluded, deported, or removed, and having departed the United States while an order of exclusion, deportation, or removal was outstanding, subsequent to a conviction for a commission of an felony, in violation of Title 8, United States Code, Sections 1326(a) and (b)(1).

3. The facts and information contained in this affidavit are based upon my training and experience, personal knowledge, and observations during the course of this investigation, as well as the observations of other agents involved in this investigation. This affidavit contains information necessary to support probable cause, and it is not intended to include each and every fact and matter observed by me or known to the government.

PROBABLE CAUSE

4. On or about January 3, 2019, ICE received information from the Arlington County Police Department ("APD"), located in Arlington, Virginia, within the Eastern District of Virginia, that ENRIQUEZ BUENO an alien, was arrested for felony burglary, with intent to commit larceny, in violation of Virginia Code 18.2-91, felony grand larceny, in violation of Virginia Code 18.2-95, felony sell or distribute stolen property, and felony give false identity to a law enforcement officer, in violation of Virginia Code 18.2-82.1. ICE performed records checks which confirmed that ENRIQUEZ BUENO is a Mexican national who was removed from the United States to Mexico on or about June 10, 2016 at or near El Paso, Texas, on or about January 9, 2015 at or near San Ysidro, California, on or about December 2, 2014 at or near San Ysidro, California, on or about October 18, 2014 at or near, Calexico, California, on or about September 19, 2014 at or near about Nogales, Arizona, on or about August 15, 2014 at or near Nogales, Arizona, and on or about June 30, 2014 at or near Nogales, Arizona.


5. I reviewed ENRIQUEZ BUENO's, alien file, which includes executed ICE Forms I-296's (Notice to Alien Ordered Removed/Deported), and ICE Forms I-205's, (Warrant of Removal/Deportation) containing ENRIQUEZ BUENO's photographs, fingerprints, and signatures.

6. On or about January 10, 2019, I conducted a criminal history check, and review of ENRIQUEZ BUENO's alien file. The criminal history check, and alien file review revealed on or about June 7, 2016 ENRIQUEZ BUENO was convicted of felony Illegal re-entry, in violation of Title 8, United States Code, §1326(a) in the United States District Court Western District of Texas. Additional ICE database checks revealed on January 19, 2017 ENRIQUEZ BUENO was encountered by ICE at the Los Angeles County Jail (LACJ), after being arrested for assault with a deadly weapon. An ICE detainer was filed with the LACJ; however it was not honored, and ENRIQUEZ BUENO was released. ENRIQUEZ BUENO remained at large until his most recent arrest in Arlington Virginia on January 3, 2019.

7. ENRIQUEZ BUENO's alien file lacks evidence of any immigration benefit, document, or status that would allow him to enter, be admitted, pass through, or reside in the United States legally. Further, ENRIQUEZ BUENO has not obtained permission from the Attorney General or the Secretary of the Department of Homeland Security to reenter the United States following his seven (7) formal removals.

8. Based on the foregoing, I submit there is probable cause to believe that on or about January 3, 2019 in Arlington, Virginia, within the Eastern District of Virginia, ENRIQUEZ BUENO an alien who was removed from the United States to Mexico on or about June 10, 2016 at or near El Paso, Texas, on or about January 9, 2015 at or near San Ysidro, California, on or about December 2, 2014 at or near San Ysidro, California, on or about October 18, 2014 at or near,

Calexico, California, on or about September 19, 2014 at or near about Nogales, Arizona, on or about August 15, 2014 at or near Nogales, Arizona, and on or about June 30, 2014 at or near Nogales, Arizona, was found in the United States without having obtained the express consent of the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission to the United States, in violation of Title 8 USC §1326(a) and (b) (1).



Mark Flumacki
Deportation Officer
United States Immigration and Customs
Enforcement

Subscribed and sworn to before me

This 11 day of January 2019. /s/

Theresa Carroll Buchanan
United States Magistrate Judge

Honorable
United States Magistrate Judge
Alexandria, Virginia